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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Barbosa et al.

Confirmation No.: 7460

Serial No.: 09/853,544

Art Unit: 1646

Filed: May 10, 2001

Examiner: Pak, Michael D.

For: MARKERS FOR
EVALUATING ESTROGENIC
ACTIVITY

Attorney Docket No: 10624-051

PETITION TO WITHDRAW NOTICE OF APPEAL UNDER § 37 C.F.R. 1.181Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the Notice of Appeal, filed November 29, 2005 in connection with the above-identified application, be withdrawn pursuant to Rule 181 of the Rules of Practice. The Notice of Appeal was filed in error in response to the non-final Office Action dated August 31, 2005. Accordingly, Applicants request that the Patent Office issue an Office Action in response to Applicant's Response filed November 29, 2005, and withdraw the Notice of Appeal.

Applicants estimate that no fee is due in connection with the filing of this Petition. However, should the Patent Office determine that a fee is due, please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Date: January 30, 2006

Respectfully submitted, *by: Jacqueline Benn*
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